

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 23, 1956
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by FATHER HAROLD J. HUGES, St. Mary's Cathedral, 201 East 10th Street.

Councilman White moved that the Minutes of February 16, 1956 be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

MR. HARRY HUBBARD, 5602 Overbrook Drive, and others appeared asking the Council to help them get sewers, as the septic tanks were not working. MR. FRANK BARRON, subdivider of the area, explained the technical problem. The Mayor suggested that Mr. Barron put this in on a refund contract, but Mr. Barron was unable to do this. After discussion of this problem, and of the subdivision ordinance, the Mayor stated the Council and some of the Department heads would go look at this area. He stated the Council would seriously consider this. He also stated he did not believe it to be the City's responsibility.

Consideration of a filling station site at 19th and Guadalupe for Louis W. Wickham was postponed until next week.

MR. SAMUEL A. THIELEPAPE was before the Council requesting to purchase property between his property and the H & TC right-of-way, (Broadmoor Street) from East 53rd northerly 148' to an alley. After discussion about the title problem, traffic problems that might arise, closing the alley and other matters, the Mayor asked that this follow the form set up; that the traffic be checked, the neighbors be contacted, the city's title be checked, utility needs be checked, and the report be brought back next week for the Council to proceed.

MR. THOMAS BROWN inquired about employment and was referred to the Personnel Department.

The City Manager submitted the following from the Director of Public Works regarding the purchase of (2) 16 C.Y. and (4) 20 C.Y. Garbage Collection Units:

"Bids were received at the office of the Purchasing Agent on Tuesday, February 14, 1956, for the purchase of (2) 16 C.Y. and (4) 20 C.Y. Garbage Collection Units. Following are the bids received:

<u>Name of Company</u>	<u>16 C.Y. Unit</u>	<u>20 C.Y. Unit</u>
Seal-Press Inc.	\$5,530.00	\$12,580.00
Pak-Mor Mfg. Co.	6,000.00	14,000.00
Ballard Equip. Co.	6,030.00	13,084.00
Road Equip. Co.	6,790.00	15,980.00
Commercial Body Corp.	9,400.00	21,120.00
South Texas Equip. Co., Inc.	10,113.00	22,926.00

"I recommend that we purchase this equipment from Seal-Press Inc. with their low bid of \$5,530.00 for (2) 16 C.Y. and \$12,580.00 for (4) 20 C.Y. Garbage Collection Units."

Discussion was held on the bids for the six refuse collection units for the Sanitation Division. Explanation was made on the need of 16 cubic yard and 20 cubic yard units. MR. TRAVIS HALL, from Pak-Mor Mfg. Company, appeared representing his company, and MR. LEON FURLONG, Seal-Press Inc., represented his company, the low bidder. Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 14, 1956, for the purchase of two 16 C.Y. and four 20 C.Y. garbage collection units; and,

WHEREAS, the bids of Seal-Press Inc. in the sum of \$5,530.00 for the two 16 C.Y. unit and in the sum of \$12,580.00 for the four 20 C.Y. units were the lowest and best bid therefor, and the acceptance of such bids has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bids of Seal-Press Inc. in the sums of \$5,530.00 and \$12,580.00 be and the same are hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Seal-Press, Inc.

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

The City Manager submitted the following:

"Sealed Bids opened 10:00 A.M. Feb. 14,
 1956 Tabulated by: O.G. Brush,
 Purchasing Agent

BIDS ON TRANSFORMERS

	Walter Tips	Line Material Co.	Priester Southern Elec- Supply	tric Supply
"250 KVA 12,000 - 2400/ 4160Y V Transformers per City Specifications	\$5,222.25	\$5,199.15	\$5,222.25	\$5,222.25
10 KW 6.6 Amp. 2400 V Street lighting Transformer per City Specifications	\$ 612.48	\$ 673.64	\$ 603.00	No bid

"Recommend: 250 KVA Transformers (Item 1) be awarded low bidder, Line Material Company.
 10 KW Street lighting transformer (Item 2) be awarded low bidder, Priester Supply Company.

"(Sgd) WTW
 W. T. Williams, Jr.
 City Manager"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on February 14, 1956, for the furnishing of transformers; and,

WHEREAS, the bid of Line Material Company in the sum of \$5,199.15 for 250 KVA 12,000 - 2400/4160Y V Transformers was the lowest and best bid therefor; and,

WHEREAS, the bid of Priester Supply Company in the sum of \$603.00 for 10 KW 6.6 Amp 2400 V Street Lighting Transformer was the lowest and best bid therefor; and,

WHEREAS, the acceptance of such bids has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Line Material Company in the sum of \$5,199.15 for 250 KVA 12,000 - 2400//4160Y V Transformers, and the bid of Priester Supply Company in the sum of \$603.00 for 10 KW 6.6 Amp 2400 V Street Lighting Transformer, be and the same are hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with the above named companies.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Yarbrough Construction Company is the Contractor for the construction of a building located at 2609 Whitis Avenue and desires a portion of the sidewalk and street space abutting on Lots 1 through 9, Block 10, Outlot 15, Division D, of the City of Austin, Travis County, Texas, during the construction of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Yarbrough Construction Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the south west corner of the above described property; thence in a westerly direction and at right angles to the center line of Whitis Avenue to a point 12 feet west of the east curb line; thence in a northerly direction and parallel with the center line of Whitis Avenue 430 feet to a point; thence in an easterly direction and at right angles to the center line of Whitis Avenue to the north west corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Yarbrough Construction Company, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstruction of any kind along the pavement within the walkway, and at any time in the opinion of the City Officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "NO PARKING" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in noway obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricade or obstruction, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than February 1, 1958.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000.) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all

other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Pearson, carried by the following vote:
 Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318 INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE AND HEIGHT AND AREA DESIGNATIONS FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON LOTS 6, 7 AND THE NORTH 50 FEET OF LOT 8, BLOCK 5; THE EAST 1/2 BLOCKS 8, 15, 19, 28, 33, 42, ALL OF BLOCKS 52, 56, 48, 43, 32, 29; THE WEST 1/2 OF BLOCK 18; LOT 1 AND THE WEST 1/2 OF LOTS 2 AND 7 THRU 10, BLOCK 16; LOTS 3, 4 AND 5, BLOCK 31; THE SOUTH 1/2 OF BLOCK 44 OF THE CHRISTIAN AND FELLMAN SUBDIVISION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT ON A TRACT OF LAND LOCALLY KNOWN AS 198-200 CUMBERLAND ROAD, AND CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT ON A TRACT OF LAND LOCALLY KNOWN AS 112-196 CUMBERLAND ROAD, WHICH IS THE REAR OF 2600-2632 SOUTH CONGRESS AVENUE, BOTH TRACTS LOCATED IN THE CITY OF AUSTIN, TRAVIS, COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS

JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT ON APPROXIMATELY 1.3 ACRE TRACT, LOCALLY KNOWN AS 3714-20 GOODWIN AVENUE AND 1132-34-1/2 SPRINGDALE ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 30, 1956, for the furnishing of linen service, consisting of beef shrouds, butchers coats and towels, to the Municipal Abattoir; and,

WHEREAS, the bid of Capitol Linen Service in the sum of \$10,165.00 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Capitol Linen Service in the sum of \$10,165.00 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Capitol Linen Service.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by The Westwood Country Club Building Corporation the same being north and adjacent to West 35th Street at its intersection with Lake Austin, as listed in the Travis County Deed Records, and hereby authorizes the said Westwood Country Club Building Corporation to construct, to maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Travis County, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Westwood Country Club Building Corporation has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"February 23, 1956

"Mr. W. T. Williams
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of the Westwood Country Club Building Corporation, by, W. C. Cotten, Jr., owner of a piece of property located upstream from the westerly extension of the south line of Windsor Road, the same being north and adjacent to West 35th Street at its intersection with Lake Austin, as listed in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately 50 feet beyond the normal high water level. The plans as submitted, indicate that the boat docks will be constructed on the north property line which conflicts with the 10 foot side yard requirement of the ordinance. However, this property was purchased with the understanding that there would be no objection from the adjacent property owner as confirmed by the attached letter. The construction details meeting all requirements, I

therefore recommend that if Westwood Country Club Building Corporation is granted their request by the City Council, that it be subject to the following conditions:

"(1) That nothing but crosoted piles, cedar piles or concrete piles substantially braced to withstand wind and water pressure, be used in the construction and that no structure shall be nearer than ten feet to any side property line of the owner of applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

MAYOR MILLER inquired about the right-of-way on San Gabriel, in that Mrs. Alford thought the street was going to be widened more than it actually is planned now. The Director of Public Works showed on the map the possibility of widening it to a 40' street. The Council was agreeable to widening San Gabriel in this manner as explained.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be, and he is hereby authorized and directed to advertise for bids on the sale of Bonds of the City of Austin at 10 o'clock A.M. March 22, 1956, as follows:

Hospital Improvement Bonds, authorized at election May 7, 1946	\$100,000.00
Fire Stations Bonds, authorized at election November 6, 1950	<u>220,000.00</u>
Total	\$320,000.00

Advertisement for such bids shall be in the usual and customary form and shall be published at least once in The Austin Statesman, Austin, Texas, and in The Bond Buyer, New York, New York, and in addition shall be given such circulation as will invite attention to the proposed sale. The right shall be reserved to the City of Austin to reject any and all bids, and advertisements shall direct the filing of sealed bids to be opened by the City Council at a regular meeting held for such purpose in the City Hall at the time and date hereinbefore set forth.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption: (RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be, and he is hereby authorized and directed to advertise for bids on the sale of Bonds of the City of Austin at 10 o'clock A.M. March 22, 1956, as follows:

City of Austin, Texas, Electric Light and
Power, Waterworks, and Sewer System
Revenue Bonds, Series No. 4, authorized
at election January 30, 1954 \$1,250,000.00

Advertisement for such bids shall be in the usual and customary form and shall be published at least once in The Austin Statesman, Austin, Texas, and in The Bond Buyer, New York, New York, and in addition shall be given such circulation as will invite attention to the proposed sale. The right shall be reserved to the City of Austin to reject any and all bids, and advertisements shall direct the filing of sealed bids to be opened by the City Council at a regular meeting held for such purpose in the City Hall at the time and date hereinbefore set forth.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Long had a request from a Taxi Cab Company concerning the City's charging 2% gross receipts tax on out-of-town trips. The Mayor suggested referring it to the City Manager and City Attorney for a report on the legality of it along with the present ordinance under which the taxi cabs operate.

Mayor Miller asked that consideration and a study be made of the possibility of furnishing West Lake Hills water, before the Council definitely turned them down.

The City Manager submitted a matter on the bidding on the concession rights at Barton Springs, in which Mr. Burke Matthews submitted two bids, one

in the name of Matthews Speciality, Inc., and the other individually, at 26% and 30% respectively, of the gross receipts. Both bids were high, and Mr. Matthews wanted to withdraw the higher bid of 30%. The Mayor did not believe the Council could allow the withdrawal, unless he wanted to withdraw both bids, as the City had no other choice but to take the highest and best bids. Discussion was held on bottling companies' serving big crowds in the Park. It was thought this would be all right in the park, but not in the immediate area of the concession stand.

The Council received notice from the City Manager that the following zoning applications had been referred to the Plan Commission, and hearing before the Council set for March 29, 1956:

LEONARD E. BELDING, et ux	1301-07 Edgecliff Dr. 900-06 Manlove St. & 1300-22 Riverside Dr.	From "A" Residence To "O" Office
NOEL K. BROWN, et al	9212-9320 Interregional Highway & 511-705 E. Rundberg	From "A" Residence To "GR" General Retail
W. T. CASWELL, et al	2208-14 Alexander 2801-25 Manor Road 2209-15 Curtis Avenue	From "A" Residence To "C" Commercial
NASH PHILLIPS & CLYDE COPUS, JR.	5315-5327 Cameron Road	From "A" Residence To "GR" General Retail 6th Height and Area
L. G. COOK, et al	3700-3712 Goodwin Avenue & 1133-1135 7/82 Airport Boulevard	From "A" Residence To "C" Commercial
BUILDERS & BANKERS INS. CORP.	501-03 E. 11th Street & 1007-11 Neches	From "B" Residence To "C" Commercial

The Council recessed at 12:10 until 3:30 P. M.

Recessed Meeting

3:30 P.M.

THE STATE OF TEXAS :

COUNTY OF TRAVIS :

CITY OF AUSTIN :

ON THIS the 23rd day of February, 1956, the City Council of the City of Austin, Texas, convened in REGULAR SESSION at the regular meeting place thereof in the City Hall. The meeting was called to order, with Mayor Miller presiding. The roll was called showing the following:

PRESENT: Tom Miller, Mayor, Lester E. Palmer, Councilman, Wesley Pearson, Councilman, Ben White, Councilman

ABSENT: Emma Long

The following ORDINANCE was introduced by Mayor Miller:

AN ORDINANCE

BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS,
AUTHORIZING THE ISSUANCE OF WARRANTS IN THE PRINCIPAL
SUM OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00),
FOR THE PURPOSE OF EVIDENCING THE INDEBTEDNESS OF THE
CITY OF AUSTIN TO BE INCURRED IN THE PURCHASE, ACQUI-
TION, CONSTRUCTION, IMPROVEMENT AND EQUIPMENT OF PARKS
AND PLAYGROUNDS IN THE CITY OF AUSTIN, AND FOR ALL EXPENSES
NECESSARY AND INCIDENTAL THERETO; LEVYING A TAX TO PAY THE
INTEREST ON SAID WARRANTS AND THE PRINCIPAL THEREOF AT
MATURITY; ENACTING PROVISIONS INCIDENT AND RELATING TO THE
SUBJECT AND PURPOSE OF THIS ORDINANCE; AND DECLARING AN
EMERGENCY.

The ordinance was read the first time and Councilman Palmer moved, seconded by Councilman White that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

AYES: Councilmen Palmer, Pearson, White, and Mayor Miller

NOES: None

Absent: Councilman Long

The ordinance was read the second time and Councilman Palmer moved, seconded by Councilman White that the rule be suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

AYES: Councilmen Palmer, Pearson, White, and Mayor Miller

NOES: None

Absent: Councilman Long

The ordinance was read the ~~second~~ ^{third} time and Councilman Palmer moved, seconded by Councilman White that the ordinance be finally passed. The motion carried by the following vote:

AYES: Councilmen Palmer, Pearson, White, and Mayor Miller
NOES: None
Absent: Councilman Long

Councilman White introduced a resolution and moved its adoption. The motion was seconded by Councilman Palmer. The motion, carrying with it the adoption of the resolution, prevailed by the following vote:

AYES: Mayor Miller and Councilmen Palmer, Pearson, White
NOES: None
ABSENT: Councilman Long

The RESOLUTION is as follows:

WHEREAS, the City Council of the City of Austin, Texas, had heretofore determined the advisability and necessity of purchasing, acquiring, constructing, improving and equipping parks and playgrounds in the City of Austin and of issuing interest bearing time warrants for the purpose of evidencing the indebtedness of the City of Austin to be incurred in connection therewith; and,

WHEREAS, in compliance with the provisions of Chapter 163, Acts of the Regular Session of the 42nd Legislature, 1931, as amended, and the Charter of said City, the City Council has caused to be published in a newspaper of general circulation published in the City of Austin, for the time and in the manner prescribed by law, NOTICE TO BIDDERS for furnishing all necessary materials, machinery, equipment, superintendence, and labor required for the construction of a Swimming Pool and Bathhouse in Northwest Park in the City of Austin, in accordance with the plans and specifications of the City of Austin; and,

WHEREAS, said notice also conveyed the information that all or a part of the contract price would be paid by the issuance and delivery of interest bearing time warrants in an amount not exceeding \$250,000.00, bearing interest at a rate not to exceed two (2%) per cent per annum, and having a maximum maturity date not later than ten (10) years from their date; the date set for receiving bids and authorizing the issuance of such warrants being this 23rd day of February, 1956; and,

WHEREAS, the City Council has heretofore on this 23rd day of February, 1956, passed an ordinance authorizing the issuance of \$250,000.00 CITY OF AUSTIN PARK AND PLAYGROUND IMPROVEMENT WARRANTS, SERIES OF 1956, dated March 1, 1956, bearing 2% interest per annum, and maturing \$25,000.00 on March 1st in each of the years 1957 to 1966, inclusive, and levying a tax to pay the interest on and principal of said warrants; and,

WHEREAS, no petition of any kind or character in respect to said notice to bidders and notice of intention to pay all or a part of the contract price by the issuance and delivery of said warrants has been filed; and,

WHEREAS, the City Council has heretofore received, opened and considered the bids and said bids having been found to be in proper form and order and accompanied by the required deposits, and now desires to award contracts to the lowest and best responsible bidders: Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

SECTION 1. That Maufrais Brothers of Austin, Texas, is hereby found and determined to be the lowest and best responsible bidder for furnishing all necessary materials, machinery, equipment, superintendence, and labor required for the general construction of a Swimming Pool, not including plumbing, in Northwest Park in the City of Austin in accordance with the plans and specifications of the City of Austin.

SECTION 2. That C. Ben Hibbetts of Austin, Texas, is hereby found and determined to be the lowest and best responsible bidder for furnishing all necessary materials, machinery, equipment, superintendence, and labor required for the construction of a Bathhouse in Northwest Park in the City of Austin in accordance with the plans and specifications of the City of Austin.

SECTION 3. That R. O. Davis of Austin, Texas, is hereby found and determined to be the lowest and best responsible bidder for furnishing all necessary materials, machinery, equipment, superintendence and labor required for the installation of all Swimming Pool Plumbing in Northwest Park in the City of Austin in accordance with the plans and specifications of the City of Austin.

SECTION 4. That the City Manager of the City of Austin, Texas, be and he is hereby authorized and directed to execute on behalf of the City of Austin the contracts with said contractors as follows:

<u>PROJECT</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
Swimming Pool (Not including plumbing)	Maufrais Brothers	\$58,153.55
Bathhouse - complete	C. Ben Hibbetts	38,310.00
Swimming Pool Plumbing	R. O. Davis	24,764.00

and that said contracts containing said plans and specifications, and performance bonds executed by said contractors be marked for purposes of identification and filed in the office of the City Clerk without recordation at length in the Minutes of the City Council, and the same are hereby approved by the City Council.

ADOPTED AND APPROVED this 23rd day of February, 1956.

(Sgd) Tom Miller
Mayor, City of Austin, Texas

ATTEST:
(Sgd) Elsie Woosley
City Clerk, City of Austin, Texas

APPROVED:
(Sgd) Doren R. Eskew
City Attorney, City of Austin, Texas

The tabulation of bids is set out below:

"February 23, 1956

"S. Reuben Rountree, Jr.
Director of Public Works

W. T. Williams, Jr., City Manager

"Construction of Swimming Pool and Bathhouse in Northwest Park

"Following is a tabulation of bids received at 10:00 A. M., Thursday, February 23, 1956, for the construction of a swimming pool and bathhouse in Northwest Park.

"Bids were received on this project in 9 separate proposals or combinations. Following is a tabulation of various combinations of bids on this job.

Proposal A - General Const. Swimming Pool Incl. Plumbing

	Gen. Const.	Alt. No. 1	Alt. No. 2	Alt. No. 3
	Swimming Pool incl. Plumbing	Play area slab added to above work	Green Color added to Pool walks & play area slab	Red Color added to Pool walks & play area slab
Maufrais Bros.	82,967.55	2,892.54	1,729.00	864.50
Austin Engr. Co.	97,697.00	3,677.80	3,800.00	2,470.00
C. Ben Hibbetts	98,550.90	2,783.00	1,900.00	1,425.00
Hardin Const. Co.	99,460.05	2,156.98	3,230.00	1,900.00
Rex Kitchens	123,410.00	4,174.80	2,565.00	1,900.00

Proposal B - General Const. Bathhouse Incl. Plumbing

C. Ben Hibbetts	38,310.00
Maufrais Bros.	39,157.00
Rex Kitchens	45,578.00

Proposal C - General Const. Pool and Bathhouse Incl. all Plumbing

Maufrais Bros.	122,124.55
C. Ben Hibbetts	136,860.90
Rex Kitchens	168,988.00

Proposal D - General Const. Swimming Pool not Incl. Plumbing

	General Const.	Alt. No. 1	Alt. No. 2	Alt No. 3
		Play area slab added to above work	Green color added to Pool walk	
Maufrais Bros.	58,153.55	2,892.54	1,729.00	864.50
H. B. Zachry	77,143.82	4,920.30	513.00	475.00

Proposal E - General Const. of Bathhouse not Incl. Plumbing

Maufrais Bros.	34,340.00
H. B. Zachry	39,409.00

Proposal F - General Const. of Pool & Bathhouse not Incl. Plumbing

Maufrais Bros.	92,493.55
M. B. Zachry	115,993.82

Proposal G - Swimming Pool Plumbing

R. O. Davis	24,764.00
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Proposal H - Bathhouse Plumbing

J. O. Andrewartha	4,861.00
R. O. Davis	5,442.00

Proposal I - Pool Plumbing plus Bathhouse Plumbing

R. O. Davis	29,206.00
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"LOW BID COMBINATIONSProposals B & D & G

B. C. Ben Hibbetts	\$ 38,310.00
D. Maufrais Bros.	58,153.55
G. R. O. Davis	24,764.00
	<u>\$121,227.55</u>

Proposals A & B

A. Maufrais Bros.	\$ 82,967.55
B. C. Ben Hibbetts	38,310.00
	<u>\$121,277.55</u>

Proposals D & E & I

D. Maufrais Bros.	\$ 58,153.55
E. Maufrais Bros.	34,340.00
I. R. O. Davis	29,206.00
	<u>\$121,699.55</u>

Proposal C - all construction and all plumbing

C. Maufrais Bros.	\$122,124.55
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Proposals D & E & G & H

D. Maufrais Bros.	\$ 58,153.55
E. Maufrais Bros.	34,340.00
G. R. O. Davis	24,764.00
H. J. O. Andrewartha	4,861.00
	<u>\$122,118.55</u>

City's Estimate

\$116,225.00

"We recommend that the City accept Proposals B, D & G and award contract for

Pool to Maufrais Bros. at \$58,153.55, for Bathhouse to C. Ben Hibbetts at \$38,310.00 and plumbing for Swimming Pool to R. O. Davis at \$24,764.00.

APPROVED:

W. T. Williams, Jr.
City Manager

"(Sgd) S. Reuben Rountree, Jr.
Director of Public Works.

There being no further business the Council adjourned at 4:05 P. M. subject to the call of the Mayor.

APPROVED _____

Mayor

ATTEST:

Elin Hoosley

City Clerk